



03-02-06

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Based on PTO/SB/64 (11-03)

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number (Optional)
UBAT1310-1

First named inventor: Vladimir I. Merkulov

Application No.: 10/715,057

Group Art Unit: 2891

Filed: November 17, 2003

Examiner: Fulk, Steven J

Title: Carbon tips with expanded bases

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

Note: If information or assistance is needed in completing this form, please contact Petitions
information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or
action by the United States Patent and Trademark Office. The date of abandonment is the day after the
expiration date of the period set for reply in the Office notice or action plus any extensions of time actually
obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee -- required for all utility and plant applications
filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

- ☐ Small entity-fee \$ _____ (37 CFR 1.17(m)).
Applicant claims small entity status. See 37 CFR 1.27.
- ☒ Other than small entity-fee \$ 1500.00 (37 CFR 1.17(m)).

2. Reply and/or fee**A. The reply and/or fee to the above-noted Office Action in**

Reply to non-final office action

the form of mailed July 28, 2005 (identify the type of reply):

- ☐ has been filed previously on _____.
- ☒ is enclosed herewith.

B. The issue fee of \$ _____

- ☐ has been paid previously on _____.
- ☐ is enclosed herewith.

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1500.00 OP

3. Terminal disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required by this petition. Incidentally, a terminal disclaimer is being filed herewith in response to the obvious type double patenting rejection set forth in the non-final office action mailed July 28, 2005.

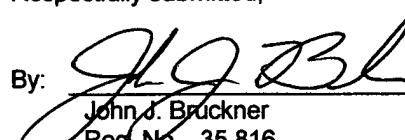
☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see (PTO/SB/63)).

4. **STATEMENT:** The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c)(III)(C) and (D))].

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-3204. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Dated: March 1, 2006

By: 
 John J. Bruckner
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 John Bruckner PC
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 Austin, TX 78739

Telephone 512-394-0118

Enclosures:

- ☒ Check in the amount of \$ 1500.00
- ☒ Reply to non-final office action mailed July 28, 2005
- ☒ Terminal Disclaimer Form (to overcome non-statutory double patenting rejection)
- ☐ Additional sheets containing statements establishing unintentional delay
- ☐ Other: _____

CERTIFICATE OF (EXPRESS) MAILING OR TRANSMISSION (37 CFR 1.8(a) or 1.10)

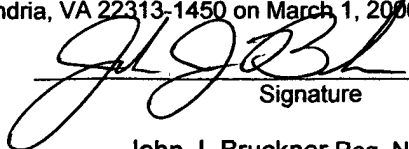
I hereby certify that this correspondence is being:

☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

☒ deposited with the United States Postal Service as Express Mail Post Office to Addressee in an envelope bearing Express Mail mailing label number EQ 454154845 US addressed to: Mail Stop Petition, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on March 1, 2006.

March 1, '06
 Date


 Signature
 John J. Bruckner Reg. No. 35,816
 Type or print name of person signing certificate